

REQUEST FOR CONTINUED EXAMINATION

In response to the office action of 17th June, 2011 the applicant herewith requests continued examination for the above mentioned application. Attached to the filing of this document is a filled in and signed form PTO/SB/30EFS (07-09) "REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL.

Trondheim, July 29, 2011,

/G. Vavik/

Geir Monsen Vavik

applicant

NO NEW MATTER STATEMENT

The applicant declares that the present amendment introduce no new matter.

Trondheim, July 29 2011,

/G. Vavik/

Geir Monsen Vavik
applicant

REPLY BRIEF

In response to the office action of 17th June, 2011 the following amendments and arguments are respectfully presented:

With the following, the applicant points out that prior art fails to disclose the universal facilitation of different physical layers of open standards. At the same time, the presented amendments introduce no new matter and was also referenced in previous copy version of the specification provided to USPTO. The applicant believes that this distinctive feature of the invention has received insufficient attention by the Examiner and the applicant may as well have failed to reveal this feature satisfactorily through amendments.

One key feature is that while the present invention teaches how the invention can work with most any physical layer (that is modulation, demodulation, lower layer protocols), prior art have as key features that problems are solved by proprietary physical layers. It is therefore not obvious, even to the skilled in the art, that prior art can be extended for use with open standards. It may be that the applicant has failed to include this in claims and in the description of prior art in an appropriate way, however one reason is that the applicant has considered this to be evident not least from the fact that no concurrent implementation of the present invention has come to be known up till now.

However, in view of the comprehensive communication with respect to this application, one important ground for the applicant's appeal is that the examination process should have at some point concluded in recommendations as to the clarifications made in this letter. In other applications cases that the applicant experienced, recommendations played a decisive role to arrive at an allowance. What the applicant, with all due respect, regards as some unintended lack of pointing to evident novelties in the application by the examiner, was an important cause of the applicant's confusion that prompted the filing of the Notice of Appeal on June the 6th 2011.

Reply to Office Communication of June 17 2011

Docket: CU-3831

The applicant believes with the present amendments to have met all the examiner's objections and recommendation including and prior to the above mentioned office action.

The prior art description in the specification now include the following:

The background for the invention concerns apparatus for enabling modern telecommunication on infrastructure which originally was not intended for such or infrastructure with poor behaviour versus telecommunication signals. An example hereof are power grids in utility and MDU Multi Dwelling Unit systems. Prior art relevant to the invention span a variety of inventions and solutions. The most relevant example may be taken to be US-6,490,727. Said prior art, however all are based on proprietary physical layers and in many cases other communication layers being proprietary as well. Proprietary physical layers generally include proprietary modulation and demodulation methods as well as proprietary lower layer protocols. Prior art, therefore does not specifically target the analog signal processing of the physical layer as the solution to a problem and thus does not teach how most any physical layer can be utilized with said enabling of telecommunication. Proprietary telecommunication standards, especially including proprietary physical layers, seldom find widespread use or success. Operators of telecommunication systems tend to trust only open standard technologies for universal usage. There is therefore an imminent need for a novel technology for said enabling purpose that will allow nearly any open telecommunication standard or any generally accepted proprietary telecommunication standard physical layer.

The amendments made hereto is believed to meet the examiners objections to clarity and distinctiveness. Also, the applicant believes to have removed irrelevant text from the specification in agreement with the examiner.

The applicant hereby believes to have duly attended to all remarks and objections by the examiner and considers to have placed the application in condition for allowance.

Respectfully submitted,

Dated: July 29 2011

/G. Vavik/

Geir Monsen Vavik
applicant